

REMARKS

By this Amendment, Applicants amend claims 1, 3, and 4 and cancel claims 7, 9 and 11. Accordingly, claims 1-6, 8 and 10 are pending. Applicants also amend the specification, drawings, and abstract. No new matter is added.

The Office Action objects to the drawings. Applicants respectfully traverse the objection.

The Office Action alleges that, in Fig. 3, reference number 9 does not point to the bottom wall of the spoiler. This is incorrect. In Fig. 3, reference numeral 9 accurately points to the bottom wall of the spoiler consistent with the representation of the bottom wall 9 of the spoiler in Figs. 4-6. Thus, Applicants respectfully request that the objection be withdrawn.

The Office Action further alleges that "too much" of the cavity 14 is shown in figure 6 and that the top edge of spoiler 8 needs to be shown. Applicants are unsure what is meant by the Office Action's use of the term "too much." Regardless, Figs. 4-6 properly show the cavity 14 as it is intended to be represented. Furthermore, as is clear from Applicants' disclosure, there is no top edge of the spoiler per se that causes the spoiler 8 to form a closed body. Rather, the spoiler terminates at top end 18 shown in Fig. 3. Thus, the spoiler 8 does not have a top edge as the Office Action seems to be using the term. In order to clarify this feature, Applicants amend Figs. 4-6 to include reference numeral 18 denoting the top end of the spoiler. Accordingly, Applicants respectfully request that the objection be withdrawn.

The Office Action objects to the abstract and specification for an number of informalities. Applicants respectfully traverse the objections.

The Office Action alleges that the phrase "a low position, situated below the high position, in which the spoiler 8 extends the shield 7 downwards" is not clear since the spoiler 8 extends downward from the shield 7 in the drawings. The Office Action is correct that the spoiler 8 extends downward from the shield 7. This application is an English translation of a

French language application. The French language application uses the term "prolonger" in the objected to portion of the disclosure which may be translated as either of "to extend" or "to continue." Thus, this portion of the specification is disclosing that the spoiler 8 effectively causes the shield 7 to extend or continue lower than it otherwise would without the spoiler 8. However, since the spoiler 8 and shield 7 are separate components that comprise the bumper 2, it is more clear to say that the spoiler 8 effectively causes the bumper 2 to extend or continue lower than it otherwise would without a spoiler 8.

Thus, Applicants amend the abstract and specification to recite that "the spoiler 8 extends the bumper 2 in a downward direction." Support for this amendment may be found at least in page 4, lines 14-33 and Figs. 1-6. Accordingly, Applicants respectfully request that the objections be withdrawn.

The Office Action rejects claims 1-11 under 35 U.S.C. §112, second paragraph, as being indefinite. Applicants respectfully traverse the rejection.

The Office Action alleges that the phrase "a low position, situated below the high position, in which the spoiler 8 extends the shield 7 downwards," recited in claim 1, is indefinite since the spoiler 8 extends downward from the shield 7 in the drawings. By this Amendment, Applicants amend claim 1 to recite that "the spoiler 8 extends the bumper 2 in a downward direction," in accordance with the previously described amendment to the specification and abstract. Accordingly, Applicants respectfully request that the rejection under 37 USC §112 be withdrawn.

The Office Action Alleges that the phrases "under certain 'retraction' conditions" and "under certain 'deployment' conditions," recited in claims 3 and 4 are indefinite. By this amendment, Applicants amend claims 3 and 4 to remove this language. Thus, the rejection is moot. Applicants respectfully request that the rejection be withdrawn.

The Office Action rejects claims 1 and 11 under 35 U.S.C. §102(b) over U.S. Patent 4,976,489 to Lovelace. Applicants respectfully traverse the rejection.

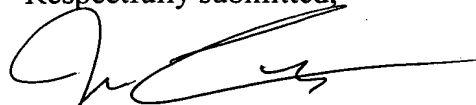
By this Amendment, Applicants amend claim 1 to include the features of claims 7 and 9. Thus, the rejection is moot. Applicants respectfully request that the rejection be withdrawn.

Finally, Applicants amend the specification to recite that the bumper may further include an abutment which limits the upward stroke of the spoiler. Again this portion of the specification was translated from a French language application. The French language application used the term "vers le haut" which should have been translated as "upward" rather than forward.

In view of the foregoing, Applicants respectfully submit that this application is in condition for allowance. Applicants earnestly solicit favorable reconsideration and prompt allowance of claims 1-11.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, Applicants invite the Examiner to contact the undersigned at the telephone number set forth below.

Respectfully submitted,



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Amendments to the Drawings:

The attached replacement drawing sheets makes changes to Figs. 4-6 and replace the original sheets with Figs. 3-6.

Attachment: Replacement Sheets